

**Schedule (5)**  
**Plaintiff's Exhibits to Be Offered at Trial**

<b>Plaintiff's Exhibit No.</b>	<b>Bates Label No.</b>	<b>Description</b>	<b>Defendants' Basis for Objection</b>	<b>Plaintiff's Response to Objection</b>
PX1	A13	Letter of 1/14/93 from President T. Madeira to J. Nolan admitting that Plaintiff's "dedication and loyalty to the company is certainly a credit to you."		
PX2	A120, 126-27	Payroll Status Change forms dated <ul style="list-style-type: none"> <li>• 2/97 changing Plaintiff's pay rate from \$7.50/hour to \$11.50/hour,</li> <li>• 2/15/99 indicating that Plaintiff was a conductor/engineer for Reading Operations, and</li> <li>• 12/20/99 changing Plaintiff's conductor pay rate from \$14.04 to \$15.60/hour</li> </ul>		
PX3	RBM130	Employee Interview Questionnaire of 3/19/97 by J. Nolan indicating that safety is "First & Foremost"		
PX4	A1	Pennsylvania Driver's License of J. Nolan issued 5/5/97 indicating his birth date is 5/16/38		
PX5	A158	Locomotive Engineer Certificate (Student License) for J. Nolan issued 6/18/97		

PX6	RBM27	Letter of 6/30/97 from CEO, Chairman A. Muller, Jr. to J. Nolan admitting that he “appreciate[d Plaintiff’s] service and dedication.”		
PX7	RBM29	Letter of 9/11/98 from CEO, Chairman A. Muller, Jr. to J. Nolan recognizing Plaintiff’s “good safety performance and concern for th[e] company [and his] service and dedication.”		
PX8	RBM49-52	Reading Blue Mountain and Northern Railroad Company Locomotive Engineer Qualification Program Train Handling Performance Examination Initial Certification (Student Engineer Final) completed by Superintendent of Operating Rules T. Glass of 1/15/99 admitting that Plaintiff “has [a] great attitude” and is “very safety minded[.]”		
PX9	RBM 138, 81-85	Engineer Trainee Log for J. Nolan (4/10/97-1/20/99)		
PX10	A2	Locomotive Engineer Certificate (Train Service License) for J. Nolan issued 2/12/99		
PX11	A20	Note by J. Nolan of 4/6/99 documenting Joe Abdo’s statement that Plaintiff could not work on the Lehigh Division at all.		

PX12	RBM31	Letter of 5/13/99 from CEO, Chairman A. Muller, Jr. to J. Nolan admitting that he “appreciate[d Plaintiff’s] service and dedication.”		
PX13	A5	Letter of 2/21/00 from General Manager T. Glass and HR Manager C. Muller to J. Nolan admitting that Plaintiff “showed [his] dedication by reporting to work as scheduled” during “the winter storm on January 25, 2000[.]”		
PX14	RBM34	Letter of 2/29/00 from CEO, Chairman A. Muller, Jr. to J. Nolan recognizing Plaintiff’s “good safety performance and concern for th[e] company [and his] service and dedication.”		
PX15	P218	Note by J. Nolan of 7/13/00 @ 5:55 p.m. documenting T. Glass’ comment that “With that big pension you get from Scott you can afford the hours.”		
PX16	RBM14 1-155	Schedule of Duty for J. Nolan (1/9/97-7/31/00)		
PX17	RBM24 7-260	Schedule of Duty for M. Canfield, W. Riegler, and J. Norman (½/99-8/2/00)		
PX18	RBM20 2-209	Schedule of Duty for Other Engineers (7/3/00-8/10/00)		
PX19	RBM184	Chart of Lehigh and Reading Division Qualified Engineers		

PX20	A21-22	Termination Letter of 8/2/00 from General Manager T. Glass to J. Nolan and Payroll Status Change Form		
PX21	Cover Letter and RBM140	Letter of 10/29/03 from M. Horner to J. LaRosa and Chart of Engineers, their Birth Date, and Pay Rate as of 8/1/00		
PX22	P216-17	Letter of 7/11/03 from M. Horner to J. LaRosa admitting that "Mr. Frederickson and Mr. Bischak work out of defendant's Pittston location which is well over 100 miles from West Chester."		
PX23	A92-95, 99-101, 104-108, 110-112 and P210, P212-14	Damages Evidence: Plaintiff's W-2s (1997-2002)		
PX24	A37-91 and P192-209	Damages Evidence: Plaintiff's Income Tax Returns (1998-2002)		
PX25	A102, 113, 168-73 and P211	Damages Evidence: Plaintiff's IRA Interest (1999-2202)		

PX26	A96-98, 103, 109	Damages Evidence: Plaintiff's Savings Account Interest Income (1998-2000)		
PX27	A114	Damages Evidence: Plaintiff's Social Security Benefit Statement		
PX28	RBM23 9-246 and A129- 155, 245- 250	Damages Evidence: Railroad Retirement Documents		
PX29	A156, 219, 221- 22, 226- 28, 230- 244	Mitigation Evidence: Plaintiff's Job Search Documents		
PX29	A159, 162, 223- 25	Mitigation Evidence: CSX Documents		
PX30	A157	Mitigation Evidence: SMS Rail Service 2002-04 Locomotive Engineer Certificate for J. Nolan issued 3/26/02		